

From: [Joseph Bell](#)
To: [Philip Allen/R6/USEPA/US@EPA](#)
Cc: [Barry Forsythe/R6/USEPA/US@EPA](#); [Jon Rauscher/R6/USEPA/US@EPA](#); [Philip Turner/R6/USEPA/US@EPA](#); ['Jessica White'](#); [Bob Piniewski](#); [Danielle Sattman](#); [Linda Broach](#); [Maureen Hatfield](#); [Vickie Reat](#)
Subject: Re: Patrick Bayou - Meeting Notes and Materials
Date: 07/22/2009 02:55 PM

I would think that fishing bans would be part of a solution but that they wouldn't normally obviate the need for characterization of the fish tissue. I guess I can envision scenarios where people fish even in the presence of noted bans. Should they? No, but I guess it would still be helpful to know if the fish they are consuming pose a risk. Now, having said that, I do think one must approach this from a standpoint of whether the information, if gathered, would make meaningful statements about the fish in and migrating into and out of the bayou. I guess I am still curious as to why the fish tissue wouldn't be sampled for ecological purposes. Can someone chime in on that issue?

>>> <Allen.Philip@epamail.epa.gov> 7/22/2009 2:48 PM >>>
Joe,

I always thought that there has been a fishing ban along the Houston Ship Channel for a number of years. What moron would consume fish from a know body of polluted water. I just don't agree with any of this argument. Fishing is not allowed within the confines of the Patrick Bayou, and access is restricted.

Phil Allen

Re: Patrick Bayou - Meeting Notes and Materials

Joseph Bell
to:
Philip Allen, Linda Broach
07/22/2009 02:37 PM

Cc:
Barry Forsythe, Jon Rauscher, Philip Turner, "'Jessica White'", "Bob Piniewski", "Danielle Sattman", "Maureen Hatfield", "Vickie Reat"

I would like to ask how close the nearest fishing point is to the mouth of Patrick Bayou. Also, and forgive my ignorance on this matter, but why would fish tissue not be evaluated for consumption for ecological receptors?

>>> <Allen.Philip@epamail.epa.gov> 7/22/2009 2:31 PM >>>
Linda,

I do not see the logic in your argument, and will not try to persuade the JDG to agree to spend this much effort, when the results will be questionable.

Phil Allen

Re: Patrick Bayou - Meeting Notes and Materials

Linda Broach
to:
Philip Turner
07/22/2009 01:44 PM

Cc:
Philip Allen, Barry Forsythe, Jon Rauscher, "'Jessica White'", "Bob Piniewski", "Danielle Sattman", "Joseph Bell", "Maureen Hatfield", "Vickie Reat"

Phil,
Since fish swim in and out of Patrick Bayou and are caught and eaten just downstream at the San Jacinto Monument, I think that fish ingestion is important for this site. I think that fish tissue should be collected from

Patrick Bayou and evaluated as though it could be caught and consumed by people fishing nearby. This is a major pathway for the risks of this site.

Dioxins, PCBs, and Mercury are all bioaccumulators and dioxins and PCBs are already included in fish advisories in this area. If Patrick Bayou is supplying the PCBs to the Galveston Bay system then that is important information for this site. We know that the catfish and speckled trout caught in the open bay didn't get their PCBs from the open bay and we also

know that, so far, Patrick Bayou has more PCBs in sediment than anywhere else in the Galveston Bay system.

I made this comment at the time of the Preliminary Site Characterization and I thought that fish ingestion was added then.
Thanks for keeping us all in the loop on what is going on.
Linda

>>> <Turner.Philip@epamail.epa.gov> 7/22/2009 1:26 PM >>>

Linda,

The JDG is proposing no fish ingestion in the HHRA due to the fact that Patrick Bayou is private property and small boats would not get past the bridge near the opening to the ship channel. This issue was visited just after the Preliminary Site Characterization. While such assessment just in the ship channel would be useful, it is outside the PB boundaries and would include potential contaminants from many other sources.

As always, comments are welcome.

Phil

Re: Patrick Bayou - Meeting Notes and Materials

Linda Broach

to:
Philip Turner, Joseph Bell
07/21/2009 08:24 AM

Cc:

Philip Allen, Barry Forsythe, Jon Rauscher, "Jessica White", "Bob Piniewski", "Danielle Sattman", "Maureen Hatfield", "Vickie Reat"

Phil et al,
My understanding was that the Human Health risk assessment would also include fish consumption. Is this correct?
Linda

>>> <Turner.Philip@epamail.epa.gov> 7/14/2009 11:25 AM >>>

Hi Joe,

Yes, EPA and the Patrick Bayou group (Project Navigator, Anchor, JDG) would like your input. Anchor was in town for another meeting and asked to drop by. They offered a few suggestions towards moving forward the risk assessment workplan. We discussed the topics you see in the attachments and Jessica White's summary, with the understanding that several were not in attendance and that their input was valuable.

As I understood, the JDG needs input on the following:

- 1) the JDG would like comments on the Sediment Zone Mixing Study as soon as possible as it will help speed up the risk assessment workplans and field work scheduled for Sept or Oct.
- 2) Is 10 cm ok for sampling depth for the risk assessments? The JDG proposed that this depth is likely greater than the biological zone of the Bayou.
- 3) Acute vs chronic sediment data/tox testing. Anchor presented rationale for using the acute data as there are numerous papers suggesting these types of tests did not offer much different results and that acute tests were sometimes even more sensitive (based on the endpoint). They forwarded papers cited for our review, and I sent another one out yesterday. I'm not sure if everyone got it, so let me know if you didn't and would like it. The JDG is seeking thoughts on this approach.
- 4) Is it ok if higher trophic level mammals (e.g., mink, otter) are not assessed? The rationale for this was the absence of habitat, however, a habitat suitability has not been performed. It was suggested that they at

least assess a small mammal which might serve as prey for raptors. The group tentatively agreed that higher mammals might not be necessary, but others need to weigh in. I've since spoken to TPW and Linda Broach who both agreed that higher level mammals would probably be risked away, BUT the JDG should go ahead and perform those assessments for completeness.

5) The JDG proposed that the Human Health risk assessment only needs to cover Occupational dermal exposure. It was suggested and tentatively agreed upon to include incidental ingestion. Your input on this is also appreciated.

The following were FYI:

- 1) The first cut of the risk assessment will focus on traditional deterministic methods, and may include probabilistic approaches as a "second tier" refinement. The understanding was that we will see less probabilistic than originally thought, at least at first, then those methods might be used at a later point for refinement where applicable.
- 2) The JDG will likely expand it's efforts on upstream characterization.

Hope this helps.

Phil

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Re: Patrick Bayou - Meeting Notes and Materials

Joseph Bell
to:
Philip Allen, Jon Rauscher, Philip Turner
07/14/2009 09:57 AM

Cc:
"Jessica White'", "Bob Piniewski", "Danielle Sattman", "Linda Broach",
"Maureen Hatfield", "Vickie Reat"

Phil (or other EPA reps if Phil is unavailable),

TCEQ is somewhat confused about what EPA's expectation is for these submitted documents. We did not attend the meeting (no invitation to do so), so we are scratching our heads as to whether EPA desires to see TCEQ's comments upon these materials or if they are being provided purely for reference. Can you respond to this E-mail with your expectation so that, if we are to provide comment, I can begin the process of review assignment to our subject matter experts?

Thanks,

Joe

>>> "Bob Piniewski" <bobbp@projectnavigator.com> 7/13/2009 10:47 AM >>>
Phil,

Attached please find the meeting notes, materials and the technical papers we discussed at the July 9, 2009 Patrick Bayou meeting. Should you have any questions please contact me.

Bob Piniewski

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